

Attorney Docket No.: LWN-A102

Declaration and Power of Attorney for a Patent Application

Declaration

As below named inventor, I hereby declare that my residence post office address, and citizenship are as stated below my name. Further, I hereby declare that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

A GeBPSG TOP CLAD FOR A PLANAR LIGHTWAVE CIRCUIT

the specification of which:

X is attached hereto, or
was filed on _____ as application serial no. _____; and
_____ was amended on _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above; and

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

Foreign Priority Claim

I hereby claim foreign priority benefits under Title 35, United States Code Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Number	Country	Date Filed	Priority Claimed
08-067983	USA	03/06/2009	yes
08-067984	USA	03/06/2009	no
08-067985	USA	03/06/2009	yes
08-067986	USA	03/06/2009	no

U.S. Priority Claim

I hereby claim the benefit under Title 35, United States Code, Section 120 and 199(e) of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Serial Number	Filing Date	Status (patented/pending/abandoned)
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Attorney Docket No.: LWN-A102

Power of Attorney

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent Trademark Office connected therewith.

<u>James P. Hao</u>	Registration No.: <u>36,398</u>
<u>Anthony C. Murabito</u>	Registration No.: <u>35,295</u>
<u>John P. Wagner</u>	Registration No.: <u>35,398</u>
<u>Glenn D. Barnes</u>	Registration No.: <u>42,293</u>
<u>Thomas M. Catale</u>	Registration No.: <u>46,434</u>
<u>Jose S. Garcia</u>	Registration No.: <u>43,628</u>
<u>Kenneth N. Glass</u>	Registration No.: <u>42,587</u>
<u>Lin C. Hsu</u>	Registration No.: <u>46,315</u>
<u>Mehlin Dean Matthews</u>	Registration No.: <u>46,127</u>
<u>Ronald M. Pomeroy</u>	Registration No.: <u>43,009</u>
<u>John F. Ryan</u>	Registration No.: <u>47,050</u>
<u>William A. Zarbis</u>	Registration No.: <u>46,120</u>
<u>Matthew J. Blecher</u>	Registration No.: <u>46,558</u>
<u>Lawrence R. Goerke</u>	Registration No.: <u>45,927</u>
<u>Ira J. Nasserian</u>	Registration No.: <u>43,856</u>

Send Correspondence to:

WAGNER, MURABITO & HAO LLP
Two North Market Street
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Signatures

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Sole/First Inventor: Fan Zhong

Inventor's Signature *Fan Zhong* Date 7-27-2001
Residence Fremont, CA Citizenship USA
(City State)
P.O. Address 37497 Summer Holly Common, Fremont, CA 94536

Full Name of Second/Joint Inventor: Michael Lennon

Inventor's Signature *Michael Lennon* Date 7-27-01
Residence Union City, CA Citizenship USA
(City State)
P.O. Address 31417 San Jacinto Court, Union City, CA 94587

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Applicant/Patentee: Zhong, et al.

Docket No.: LWM-A102

Serial No./Patent No.: To Be Assigned

Client Reference: A102

Filed on/Issued: Herewith

For: A GeBPSG TOP CLAD FOR A PLANAR LIGHTWAVE CIRCUIT

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
37 C.F.R. §§ 1.9(f) AND 1.27(e) — SMALL BUSINESS CONCERN

I hereby declare that I am

- the owner of the small business concern identified below:
- an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: Lightwave Microsystems Corporation

ADDRESS OF CONCERN: 2911 Zanker Road, San Jose, California 95134

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. § 121.12, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled A GeBPSG TOP CLAD FOR A PLANAR LIGHTWAVE CIRCUIT by inventor(s) Pan Zhong and Michael Lennon described in

- the specification filed herewith with title as listed above.
- the application identified above
- the patent identified above.

If the rights held by the above identified business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. § 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d), or a nonprofit organization under 37 C.F.R. § 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- no such person, concern, or organization exists.
- each such person, concern or organization is listed below.

NAME	ADDRESS	TYPE
		<ul style="list-style-type: none"> • Individual • Small Business Concern • Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27)

I acknowledge the duty to file, in this application or patent, notification or any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:

Paul Schroeter

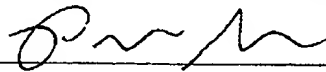
TITLE OF PERSON IF OTHER THAN OWNER:

Vice President and COO

ADDRESS OF PERSON SIGNING:

2911 Zanker Road, San Jose, California 95134

SIGNATURE



DATE:

7/27/01

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